

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2004 OCT -1 A 10:40

U.S. DISTRICT COURT
DISTRICT OF MASS.

GREGORY SOARES,

Plaintiff,

v.

STEPPINGSTONE, INC. and
KATHLEEN SCHEDLER-CLARK,

Defendants.

C.A. No.:

NOTICE OF REMOVAL

04-12100 RCL

MAGISTRATE JUDGE Dein

RECEIPT # 59019
AMOUNT \$ 150
SUMMONS ISSUED N/A
LOCAL RULE 4.1
WAIVER FORM
MCF ISSUED
BY DPTY. CLK. F.O.M
DATE 10-01-04

TO: THE HONORABLE JUDGES OF THE
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

The defendants, STEPPINGSTONE, INC. and KATHLEEN SCHEDLER-CLARK, (hereinafter referred to as "Defendants"), by and through their attorneys, Taylor, Duane, Barton & Gilman, LLP respectfully say:

1. The plaintiff commenced the above-captioned action on or about September 14, 2004, by filing a Complaint in the Superior Court Department of the Trial Court, Bristol County, Commonwealth of Massachusetts, entitled Gregory Soares v. Steppingstone, Inc. and Kathleen Schedler-Clark, Civil Action No. BRCV2004-01020. This action is now pending in that Court.

2. On or about September 17, 2004, the plaintiff served copies of the Summons and Complaint upon the Defendants. A copy of each of the foregoing papers, which constitute all of the processes and pleadings to date, are annexed hereto as Exhibit "A."

plaintiff, and the Defendants shall file copies of this Notice of Removal and Notice of Filing of Removal, with the Court Clerk, Superior Court Department of the Trial Court, Commonwealth of Massachusetts, Bristol County, Massachusetts.

7. By filing this Notice of Removal, the Defendants do not waive any defenses that may be available to them, specifically including, but not limited to, improper service of process, misnomer of a party and the absence of venue in this Court or in the Court from which this action has been removed.

WHEREFORE, the Defendants, Steppingstone, Inc., and Kathleen Schedler-Clark, remove the above-captioned action now pending against them in the Superior Court Department of the Trial Court, Commonwealth of Massachusetts, Bristol County, Massachusetts to the United States District Court for the District of Massachusetts, wherein it shall proceed as an action originally commenced therein.